

CITY OF ISSAQUAH

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Description of Proposal: Subdivide a 10.49 acre site into 3 development parcels and 2 critical area/open space tracts. The site contains steep slope critical areas (greater than 40% slopes) and the applicant has provided supporting geotechnical information to reduce the steep slope buffer from 50 feet to 10 feet and protect the steep slopes in separate critical area tracts. The proposal includes a pedestrian trail through the critical area tracts that would connect the west Parcel A and "The Woods" neighborhood to the east site boundary along Newport Way NW. The site is currently split between two zoning designations: Single-Family Suburban (SF-S) on the west portion of the site and Mixed Use Residential (MUR) on the east part of the site. The short plat will establish the exact zoning boundary. The west development Parcel A (2.88 acres), to be accessed off NW Inneswood Pl, will be developed in the future as a single family plat. Parcel B (1.40 acres) and Parcel C (0.28 acres), accessed off Newport Way NW, will later be proposed for multi-family residential development.

Proponent: Inneswood Estates, LLC
P.O. Box 6127
Bellevue, WA. 98008

Permit Number: SP13-00002 – Inneswood Estates Short Plat

Location of Proposal: The project site address is 905 Newport Way NW. The site is located between NW Inneswood Pl on the west and Newport Way NW on the east.

Lead Agency: City of Issaquah

Determination: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Comment/Appeal Period: This Mitigated Determination of Nonsignificance is issued under WAC 197-11-340(2) and 197-11-680(3)(a)vii, and is based on the proposal being conditioned as indicated below. There is a 21-day combined comment/appeal period for this determination, between **August 20, 2014 and September 10, 2014**. Anyone wishing to comment may submit written comments to the Responsible Official. The Responsible Official will reconsider the determination based on timely comments. Any person aggrieved by this determination may appeal by filing a Notice of Appeal with the City of Issaquah Permit Center. Appellants should prepare specific factual objections. Copies of the environmental determination and other project application materials are available from the Issaquah Development Services Department, 1775 12th Avenue NW.

Appeals of this SEPA determination must be consolidated with appeal of the underlying permit, per IMC 18.04.250.

Notes:

- 1) This threshold determination is based on review of the short plat plans received July 31, 2014; Critical Areas Exhibit received July 31, 2014; Tree Inventory and Density Report (Greenforest Incorporated) received July 31, 2014; Revised Report Geotechnical Engineering Services, Proposed Property Development, Multi- and Single Family Residential Housing, 905 Newport Way NW (Icicle Creek Engineers) dated December 31, 2013; environmental checklist received April 25, 2014; and other documents in the file.

- 2) Issuance of this threshold determination does not constitute approval of the short plan permit. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Land Use Code, Critical Area Regulations, Building Codes, Clearing and Grading Ordinance, and Surface Water Design Manual.

Findings:

1. Short plats are categorically exempt from SEPA review, except where sites are located in environmentally critical areas (IMC 18.10.300.A). The subject site contains steep slope areas greater than 40%, which meets the definition of an environmentally critical area and therefore the proposal is not exempted from SEPA review per IMC 18.10.360. If a project is not categorically exempt because it is located within a critical area, environmental review is limited to: 1) Documenting whether the proposal is consistent with the requirements of the critical areas ordinance; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed by GMA planning documents and development regulations [WAC 197-11-908(1)].
2. Steep slopes - A geotechnical report (Icicle Creek Engineers) was prepared to evaluate geologic conditions and recommended a reduction in the steep slope buffer from 50 feet to 10 feet, the minimum buffer width allowed in the City's critical area regulations. The City conducted a peer review (SubTerra Inc.) of the geotechnical report which concurred with the recommendations on the steep slope buffer reduction. The following conditions shall apply:
 - 1) All cited geotechnical design requirements, recommendations, and development practices specified in the Icicle Creek geotechnical reports shall be followed.
 - 2) Detailed design of structures and retaining walls shall be reviewed for compliance with code criteria in IMC 18.10.580, prior to issuance of building or construction permits.
 - 3) The applicant shall submit a geotechnical report evaluating specific building plans and grading plans prior to the issuance of construction and building permits. The geotechnical report shall follow City of Issaquah Development Services "Soils Report Requirements." A third-party independent review of the geotechnical report may be required at the applicant's expense.
3. Tree Retention – The proposal includes two critical area/open space tracts (Tract A – 3.52 acres and Tract B – 2.41 acres). These tracts include 40% steep slope areas, a 10-foot steep slope buffer, and include sufficient area outside of the steep slope critical areas to meet the City's tree retention requirements. The tracts provide a large, contiguous forested area valuable to maintaining wildlife habitat. The tracts are protected from future development in perpetuity as noted on the face of the short plat. The tracts would separate the future single family residential development on the west part of the site from the future multi-family development along the east part of the site adjacent to Newport Way NW. A trail through the critical area/open space tracts would provide a pedestrian route connecting "The Woods" neighborhood on the west to the east site boundary along Newport Way NW. Clearing and grading activity shall be outside the critical root zone of retained trees. Approved tree protection measures shall be in place prior to any other construction or demolition activities. They may be installed in conjunction with limits of clearing and grading delineation.
4. Traffic – Traffic concurrency and traffic impacts will be evaluated with the future development proposals, when more specific information regarding the future development is known.
5. Public Services - The proposal would have a potential impact on public services, including police and general government buildings. IMC Chapter 18.18, Methods to Mitigate Development Impacts, provides alternatives to mitigate for direct impacts of proposed development. The City may approve a voluntary payment in lieu of other mitigation. Rate studies for police facilities and general government

buildings are included in IMC 18.10.260 as the City's SEPA policy base. The rate studies present the methodology and formulas for determining the amount of the mitigation fee commensurate with the proposed land use and project impacts. The current mitigation fee is \$140.90 per new single family residence for the General Government Buildings mitigation fee and \$180.36 per new single family residence for the Police mitigation fee. The mitigation fee is paid at the time of building permit issuance and the actual fee amount is determined at that time. Applicant objections to the voluntary payment should be made during the SEPA comment period.

Mitigation Measures: The Mitigated Determination of Nonsignificance is based on the checklist received April 25, 2014 and supplemental information in the application. The following SEPA mitigation measures shall be deemed conditions of the approval of the licensing decision pursuant to Chapter 18.10 of the Issaquah Land Use Code. All conditions are based on policies adopted by reference in the Land Use Code.

1. All cited geotechnical design requirements, recommendations, and development practices specified in the Icicle Creek geotechnical reports shall be followed.
2. Detailed design of structures and retaining walls shall be reviewed for compliance with code criteria in IMC 18.10.580, prior to issuance of building or construction permits.
3. The applicant shall submit a geotechnical report evaluating specific building plans and grading plans prior to the issuance of construction and building permits. The geotechnical report shall follow City of Issaquah Development Services "Soils Report Requirements." A third-party independent review of the geotechnical report may be required at the applicant's expense.
4. Clearing and grading activity shall be outside the critical root zone of retained trees. Approved tree protection measures shall be in place prior to any other construction or demolition activities. They may be installed in conjunction with limits of clearing and grading delineation.
5. The applicant should mitigate for potential impacts on public services with a voluntary contribution for the General Government Buildings and Police Mitigation Fees. Applicant objections to the voluntary payment should be made during the SEPA comment period. The mitigation fee is to be paid prior to issuance of building permits and the actual fee amount is determined at that time.

Responsible SEPA Official: Peter Rosen

Position/Title: Senior Environmental Planner

Address/Phone: P.O. Box 1307, Issaquah, WA 98027-1307 (425) 837-3094

Date: 8/20/2014

Signature: 

cc: Washington State Department of Ecology
Muckleshoot Indian Tribe
U.S. Army Corps of Engineers
Washington State Department of Fish and Wildlife
Issaquah Development Services Department
Issaquah Parks and Public Works Engineering Departments